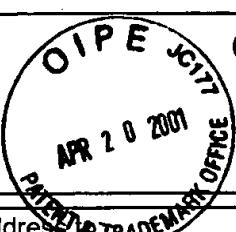


CPA/1771



CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

 DUPLICATE

Address: Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No.	1590.3039 CIP
	First Named Inventor	SCOTT D. LUCAS, ET AL.
	Examiner Name	J. Befumo
	Group Art Unit	1771
	Express Mail Label No.	

This is a request for a continuation or divisional application under 37 C.F.R. § 1.53(d),
(continued prosecution application (CPA)) of prior application number 09/317,409 filed on May 24, 1999,
entitled PRODUCTS AND METHOD OF CORE CRUSH PREVENTION.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. § 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. § 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. § 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. § 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

- Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- a. A Preliminary Amendment is enclosed.
- b. The Applicants presently intend to file additional papers in this case shortly. Should the Examiner take this case up for action before receiving such papers, it is respectfully requested that the Examiner contact the attorneys for the Applicants.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
 - DELETE the following inventor(s) named in the prior nonprovisional application:

 - The inventors to be deleted are set forth on a separate sheet attached hereto.
- An Associate Power of Attorney is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 - PTO-1449
 - Copies of IDS Citations

04/23/2001 SSITHIB1 0000049 09317409

 01 FC:131
 02 FC:103
 03 FC:102

 710.00 OP
 306.00 OP
 160.00 OP

TC 1700 MAIL ROOM

APR 24 2001

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (j))	37-20 =	17	X \$ 18.00 =	\$ 306.00
	INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (i))	5-3 =	2	X \$ 80.00 =	\$ 160.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			\$270.00 =	\$ 0.00
				BASIC FEE (37 C.F.R. § 1.16(a))	\$ 710.00
				Total of above Calculations =	\$1176.00
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28).				
				TOTAL =	\$1176.00

6. Small entity status

- a. A Small entity statement is enclosed
- b. A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. Is no longer claimed.

7. Small entity status: Applicant claims small entity status. See 37 C.F.R. § 1.27.

8. A check in the amount of \$1176.00 is enclosed.

9. The Commissioner is hereby authorized to credit overpayments or charge deficiencies in the following fees to Deposit Account No. 06-1205:

- a. Fees required under 37 C.F.R. § 1.16.
- b. Fees required under 37 C.F.R. § 1.17.
- c. Fees required under 37 C.F.R. § 1.18.

10. Applicant requests suspension of action under 37 C.F.R. § 1.103(b) for three months. (Fee of \$130.00 required under 37 C.F.R. § 1.17(i) is enclosed).

11. a. Receipt For Facsimile Transmitted CPA (PTO/SB/29A).

b. Return Receipt Postcard (Should be specifically itemized. See M.P.E.P. § 503).

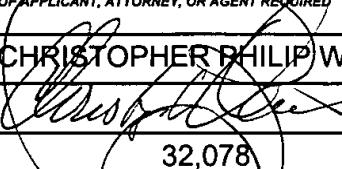
12. A Petition Under 37 C.F.R. § 1.136(a) with a check in the amount of \$390.00 is enclosed.

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below

13. NEW CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	05514	<input type="checkbox"/> or <input type="checkbox"/> New correspondence address below (Insert Customer No. or Attach bar code label here)
NAME		
ADDRESS		
CITY	STATE	ZIP CODE
COUNTRY	TELEPHONE	FAX

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	CHRISTOPHER PHILIP WRIST
SIGNATURE	
REGISTRATION NO.	32,078
DATE	April 20, 2001

CPW\gmc\wpj



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

SCOTT D. LUCAS, ET AL.

Application No.: 09/317,409

Filed: May 24, 1999

For: PRODUCTS AND METHOD OF
CORE CRUSH PREVENTION

)
: Examiner: J. Befumo
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: Group Art Unit: 1771
)
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)
:
)
: April 20, 2001
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Commissioner For Patents
Washington, D.C. 20231

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PRELIMINARY AMENDMENT

Sir:

Prior to examination on the merits, please enter the following amendments to the above-identified continuation application.

IN THE CLAIMS:

Please cancel Claims 13 to 38, 47 to 54, 56 and 77 to 86 without prejudice to or disclaimer of the subject matter recited therein.